

Senate Bill 208

By: Senators Meyer von Bremen of the 12th, Stephens of the 27th, Thomas of the 54th, Hooks of the 14th and Carter of the 13th

AS PASSED

AN ACT

To amend Chapter 18 of Title 31 of the Official Code of Georgia Annotated, relating to treatment and rehabilitation of spinal cord disabled and head-injured persons, so as to create a state-wide central registry for traumatic brain and spinal cord injuries; to change certain definitions; to require that certain information relating to brain or spinal cord injured persons be reported to the Brain and Spinal Injury Trust Fund Commission; to provide for certain duties of the commission; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 18 of Title 31 of the Official Code of Georgia Annotated, relating to treatment and rehabilitation of spinal cord disabled and head-injured persons, is amended by striking said chapter in its entirety and inserting in lieu thereof the following:

"CHAPTER 18

31-18-1.

It is the intent of the General Assembly to create a state-wide Central Registry for Traumatic Brain and Spinal Injuries to ensure the registration of all persons with traumatic brain or spinal cord injuries in order that all such persons might obtain information about rehabilitative, independent living, and other services or goods provided by existing state agencies, departments, other organizations, and individuals.

31-18-2.

As used in this chapter, the term:

- (1) 'Brain injury' means a traumatic injury to the brain (cranio-cerebral head trauma), not of a degenerative or congenital nature, but arising from blunt or penetrating trauma or

from acceleration-deceleration forces, that is associated with any of these symptoms or signs attributed to the injury: decreased level of consciousness, amnesia, other neurologic or neuropsychologic abnormalities, skull fracture, or diagnosed intracranial lesions. These impairments may be either temporary or permanent and can result in a partial or total functional disability.

(2) 'Spinal cord injury' means a traumatic injury to the spinal cord, not of a degenerative or congenital nature, but arising from blunt or penetrating trauma or from acceleration-deceleration forces, resulting in paraplegia or quadriplegia, which can be a partial or total loss of physical function.

31-18-3.

Every public and private health and social agency, every hospital or facility that has a valid permit or provisional permit issued by the Department of Human Resources under Chapter 7 of this title, and every physician licensed to practice medicine in this state, if such physician has not otherwise reported such information to another agency, hospital, and facility, shall report to the Brain and Spinal Injury Trust Fund Commission such information concerning the identity of the person such agency, hospital, facility, or physician has identified as having a traumatic brain or spinal cord injury as defined in this chapter. The report shall be made within 45 days after identification of the person with the traumatic brain or spinal cord injury. The report shall contain the name, age, address, type and extent of disability, and such other information concerning the person with the disability as the Brain and Spinal Injury Trust Fund Commission, which is administratively assigned to the department, may require.

31-18-4.

(a) The Brain and Spinal Injury Trust Fund Commission, which is administratively assigned to the Department of Human Resources, shall establish procedures whereby a person with a traumatic brain or spinal cord injury for whom a report is made in this chapter shall be informed of appropriate agencies, departments, hospitals, facilities, organizations, or individuals providing rehabilitative, independent living, and other services or goods.

(b) The Brain and Spinal Injury Trust Fund Commission shall maintain records of reports and notifications made under this chapter. The Brain and Spinal Injury Trust Fund

Commission shall produce an annual report relating to information and data collected pursuant to this chapter and shall make such report available upon request.

(c) Statistical information collected under this chapter shall be available to any other federal or state agency or private organization concerned with traumatic brain or spinal cord injuries, but no names or addresses will be provided without the consent of the person with the traumatic brain or spinal cord injury or the consent of the immediate family or guardian of such person if that person is unable to consent."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.